

THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CIVIL CITY OF NEW ALBANY, INDIANA, HELD A GRIEVANCE HEARING ON THURSDAY, June 16, 2007 IN THE ASSEMBLY ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING.

Present: Anthony B. Toran, Chas Hunter, Matthew Denison.

Others present: Shane Gibson, Marcey Wisman, Mickey Thompson, Chuck Simons

Mr. Toran called the meeting to order at 9:01a.m.

Mr. Toran called the meeting to order to discuss the Grievance filed by the AFSCME employee Mr. Mickey Thompson and he stated for the record that the individuals filing the grievance were not present.

Mr. Simons reported that the incident started about a month or two ago when they found out they were going to get a gavel truck. He stated that they made arrangements to lease it until they had the funds to purchase it outright. He explained that he spoke with Randy Hampton to see who was most qualified to run the truck and he stated that he thought Doug Missi was the person for the job. He stated that he asked Mr. Hampton if it would cause any issues if Mr. Missi was pulled from the garage to go on the truck and Mr. Hampton didn't raise any objections and he believes it was the best decision for the City.

Mr. Toran stated that the union representatives arrived at 9:04 a.m.

Mr. Thompson reported that Mr. Randy Hampton does object to this individual being pulled from the garage because they are short handed. He stated that the contract specifically states that mechanics cannot be pulled out of the garage unless it is an emergency.

Mr. Hunter stated that if the superintendent at the garage isn't concerned and Mr. Missi isn't concerned, he doesn't understand who is being aggrieved. He asked Mr. Thompson if he just had to do more work as a result of this and there weren't enough men and if that was the problem.

Mr. Thompson stated that it was the case that they are short handed but the grievance was filed specifically because the contract states that the mechanics can't be pulled out of the garage unless there is an emergency.

Mr. Hunter said the issue isn't about work load but he does understand that if the work load was too much the issues it could have caused but that they Board of Works does have the authority to manage the number of employees that work in different divisions of the City.

Mr. Thompson said that the contract also states that they can't pull a mechanic from the garage unless it is an emergency that no other available personnel can do, and there were other street department employees available to do this job.

Mr. Toran asked if these other employees already had assigned duties. He explained that if these employees already had assigned duties that they were taking care of then it is up to the supervisor to declare whether or not it is an emergency situation.

Mr. Thompson said he did declare it an emergency but the same situations have presented themselves and an emergency wasn't declared. He stated that just because someone wanted to go work in a different job doesn't warrant them being allowed to do so against the contract.

Mr. Toran asked Mr. Gibson what his opinion on this matter is.

Mr. Gibson stated that he understands Mr. Thompson's argument but that they do not agree on this and he does not believe the grievance is valid because there is not one specific person who is aggrieved.

Mr. Thompson stated that he spoke with _____ who informed him that he as the union steward can file a grievance if something is done that is against their contract.

Mr. Toran stated that the problem will be resolved and the job will be posted.

Mr. Thompson stated that they have been working to get it posted as well but they are under time restraints.

Mr. Gibson stated that he understands and he hopes the board understands that when the union feels they have a grievance they have to file it or they will waive their rights.

Mr. Thompson stated that he isn't trying to say that just because they are up here arguing this still that they should stop doing what they have been doing to resolve the issue; they just have to follow through.

Mr. Hunter stated that the contract does not specify any personnel requirement for the street department or the garage as far as numbers go.

ADJOURN:

There being no further business the meeting adjourned at 9:17 a.m.

Respectfully submitted,

**Anthony B. Toran, President
Board of Public Works & Safety**

**Marcey Wisman, City Clerk
Civil City of New Albany, Indiana**